

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

1330 OLD RIVER, LLC : Case No. 1:08-cv-530
d/b/a Roc Bar :
1330 Old River Road : Judge S. Arthur Spiegel
Cleveland, Ohio 44113 :
Applicant, :
v. :
AMERICAN SOCIETY OF :
COMPOSERS, AUTHORS :
AND PUBLISHERS, :
2675 Paces Ferry Road, S.E., Suite 350 :
Atlanta, Georgia 30339 :
Respondent.

related to

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, : Civ. Action No. 41-1395 (WCC)
Plaintiff, :
v. :
AMERICAN SOCIETY OF :
COMPOSERS, AUTHORS AND :
PUBLISHERS, :
Defendant.

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, the parties have agreed upon terms of settlement,

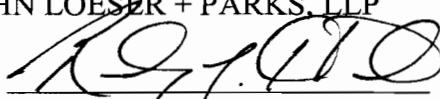
~~Copies mailed to counsel of record~~ 9/5/08 SP

NOW, THEREFORE, it is stipulated between the parties, by their undersigned attorneys, that, pursuant to Federal Rule of Civil Procedure 41(a), this proceeding may be dismissed with prejudice, each party to bear its own costs, including attorneys' fees.

Dated: Cleveland, Ohio
August 28, 2008

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Attorneys for Applicant 1330 Old River, LLC

Dated: Cleveland, Ohio
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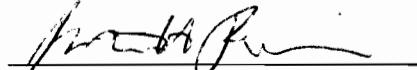
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Attorneys for Applicant 1330 Old River, LLC

Dated: New York, New York
August 30, 2008

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Attorney for Respondent American Society of Composers, Authors and Publishers

SO ORDERED:

Dated: White Plains, NY
September 5, 2008

William C. Conner
Sr. United States District Judge